



Order Filed on December 2, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

WNI 15-010067
Shapiro & DeNardo, LLC
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Mount Laurel, NJ 08054
(856) 793-3080

Kathleen M. Magoon, Esq. 040682010
ATTORNEYS FOR THE BANK OF NEW YORK
MELLON TRUST COMPANY, N.A., AS SUCCESSOR-
IN-INTEREST TO ALL PERMITTED SUCCESSORS
AND ASSIGNS JPMORGAN CHASE BANK, AS
TRUSTEE, FOR CERTIFICATEHOLDERS OF
NOMURA ASSET ACCEPTANCE CORPORATION,
MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2004-AR1

IN RE:

JEAN C. KOEGLER, III, DEBTOR

CASE NO.: 20-12270-VFP

HEARING DATE: DECEMBER 3, 2020

JUDGE: HONORABLE VINCENT F.
PAPALIA

CONSENT ORDER RESOLVING OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through two (2) is hereby ORDERED.

DATED: December 2, 2020



Honorable Vincent F. Papalia
United States Bankruptcy Judge

This matter being opened to the Court by Russell L. Low, attorney for the Debtor, upon filing of a Chapter 13 Plan, and The Bank of New York Mellon Trust Company, N.A., et seq., hereinafter "Secured Creditor," by and through its Authorized Agent, Shapiro & DeNardo, LLC, upon the filing of an Objection to Confirmation of Plan, and the parties having subsequently resolving their differences with regard to the Debtors' Chapter 13 Plan; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and the Court considered the parties' application for entry of this Consent Order, and for other good cause shown,

1. Debtor is the mortgagor, and Secured Creditor is the mortgagee, of an agreement secured by real property located at 52 Sterling Avenue, Weehawken, NJ 07086.
2. At the time of filing, Debtor owed Secured Creditor a pre-petition arrearage of \$173,479.23; as evidenced in Secured Creditor's Proof of Claim 2-1, filed on February 26, 2020.
3. Debtor will immediately apply through Secured Creditor's servicing agent for a loan modification to cure the pre-petition arrearage in paragraph one (1) above. This loan modification shall be completed by April 1, 2021.
4. If a loan modification is not offered by April 1, 2021, Debtor must within fourteen (14) days thereof: 1) modify the Chapter 13 Plan to fully cure Secured Creditor's pre-petition arrearages of \$173,479.23; 2) modify the Chapter 13 Plan to surrender the subject property; or, 3) Convert to a Chapter 7 case. If the Debtor fails to comply with this paragraph of the Consent Order, then Secured Creditor may obtain an Order Vacating the Automatic Stay as to the collateral by submitting a Creditor's Certification of Default to the Court pursuant to the local bankruptcy rules.
5. Starting March 1, 2020, Debtor agrees to maintain contractually due post-petition payments to Secured Creditor, currently in the amount of \$2,872.38 monthly, and changing to \$2,796.11 on December 1, 2020; *except* that if Debtor was offered a COVID-19 mortgage forbearance for any post-petition month(s), then payment(s) for those months will be required to be cured at the end of the forbearance period in a manner as approved by Secured Creditor. If the Debtor fails to make any payments detailed in this paragraph of the Consent Order within thirty (30) days of the date the payment is due, or if any of the funds paid fail to clear for insufficient funds or are dishonored for any reason, then the Secured Creditor may file a Motion to Vacate the Automatic Stay with the Court as to the collateral pursuant to the local bankruptcy rules.
6. Secured Creditor agrees this Order resolves the Objection to Confirmation of Plan filed on July 8, 2020; ECF Doc.:48.
7. This Consent Order is hereby incorporated into Debtor's Chapter 13 Plan.

We hereby consent to the form, content,
and entry of the within Order.

Shapiro & DeNardo, LLC

/s/Kathleen M. Magoon
Kathleen M. Magoon, Esquire
Attorney for the Secured Creditor

Date: 12/1/2020

/s/Russell L. Low/

Russell L. Low, Esquire
Attorney for the Debtor

12/1/2020
Date:

In re:
Jean C Koegler, III
Debtor(s)

Case No. 20-12270-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Dec 02, 2020

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 04, 2020:

Recip ID	Recipient Name and Address
db	+ Jean C Koegler, III, 52 Sterling Avenue, Weehawken, NJ 07086-6809

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 04, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 2, 2020 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor PNC Mortgage a Division of PNC Bank, National Association dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Eamonn O'Hagan	on behalf of Creditor United States of America (Internal Revenue Service) eamonn.ohagan@usdoj.gov
Elizabeth L. Wassall	on behalf of Creditor The Bank of New York Mellon Trust Company N.A., as successor-in-interest to all permitted successors and assigns of JPMorgan Chase Bank, as Trustee, for certificateholders of Nomura Asset Acceptance ewassall@logs.com, njbankruptcynotifications@logs.com
Kathleen M. Magoon	on behalf of Creditor The Bank of New York Mellon Trust Company N.A., as successor-in-interest to all permitted successors and assigns of JPMorgan Chase Bank, as Trustee, for certificateholders of Nomura Asset Acceptance kmagoon@logs.com, kathleenmagoon@gmail.com

District/off: 0312-2

User: admin

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Date Rcvd: Dec 02, 2020

Form ID: pdf903

Total Noticed: 1

Marie-Ann Greenberg

magecf@magtrustee.com

Russell L. Low

on behalf of Debtor Jean C Koegler III ecf@lowbankruptcy.com, ecf@lowbankruptcy.com;r57808@notify.bestcase.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7